

Monday, August 13, 2007

**STATEMENT OF PROCEEDINGS FOR THE
SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF LOS ANGELES HELD IN ROOM 381B
OF THE KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012**

12:00 PM

Present: Supervisor Gloria Molina, Supervisor Yvonne B. Burke, Supervisor Don Knabe, Supervisor Michael D. Antonovich and Chairman Zev Yaroslavsky

Video Transcript Link for Entire Meeting (03-1075)

[Video Transcript](#)

1. Report by the Director of Department of Health Services on Centers for Medicare and Medicaid Services (CMS) findings relative to Martin Luther King - Harbor Hospital, and consideration of actions recommended by the Director including actions related to closure of the facility. (07-2154)

REPORT PRESENTED BY WILLIAM T FUJIOKA, CHIEF EXECUTIVE OFFICER, AND DR. BRUCE A. CHERNOF, DIRECTOR OF HEALTH SERVICES, ON THE CENTERS FOR MEDICARE AND MEDICAID SERVICES' (CMS) FINDINGS RELATIVE TO MARTIN LUTHER KING, JR. - HARBOR HOSPITAL, AND PRESENTED FOR BOARD CONSIDERATION, RECOMMENDATIONS FOR ACTIONS RELATED TO THE CLOSURE OF THE FACILITY.

AFTER DISCUSSION THE BOARD TOOK THE FOLLOWING ACTIONS:

1. **INSTRUCTED THE CHIEF EXECUTIVE OFFICER, IN COLLABORATION WITH THE DIRECTORS OF HEALTH SERVICES AND PERSONNEL, TO DETERMINE THE NUMBER AND CLASSIFICATIONS OF STAFF TO BE TRANSFERRED FROM MARTIN LUTHER KING, JR.-HARBOR HOSPITAL (MLK-HARBOR) TO OTHER FACILITIES IN THE COUNTY BY**

AUGUST 14, 2007. THE DETERMINATION OF STAFF REMAINING AT MLK-HARBOR MUST BE BASED ON ACTUAL CLINICAL NEED, BE CONSISTENT WITH STAFFING PATTERNS THROUGHOUT THE SYSTEM, AND, TO THE EXTENT POSSIBLE, AT ANY FACILITY THAT PROVIDES A SERVICE TO THE COMMUNITY, HAVE INDIVIDUALS WHO PROVIDE THE SERVICE BE ABLE TO COMMUNICATE WITH THE COMMUNITY ITS SERVING;

- 2. INSTRUCTED THE CHIEF EXECUTIVE OFFICER, IN COLLABORATION WITH THE DIRECTORS OF HEALTH SERVICES AND PERSONNEL TO PREPARE A DETAILED PLAN IN ONE WEEK TO ASSESS THE COMPETENCY IN THEIR CLASSIFICATION OF ALL STAFF REMAINING AT MLK-HARBOR AND THOSE TO BE TRANSFERRED TO OTHER COUNTY FACILITIES. EVALUATION AND ASSESSMENT TO BE COMPLETED BY AN INDEPENDENT BODY, DETERMINED BY THE CEO. THIS BODY SHOULD HOLD MLK-HARBOR STAFF TO THE SAME COMPETENCY LEVEL EXPECTED OF ALL OTHERS IN THE SYSTEM AT EACH RESPECTIVE CLASSIFICATION LEVEL. ANY STAFF MEMBER NOT MEETING THE EXPECTED COMPETENCY LEVEL WILL NOT BE TRANSFERRED OR RETAINED UNTIL THE STANDARD IS REACHED OR A POSITION IS FOUND COMMENSURATE WITH THE EMPLOYEE'S SKILL LEVEL;**
- 3. INSTRUCTED THE CHIEF EXECUTIVE OFFICER, IN COLLABORATION WITH THE DIRECTORS OF HEALTH SERVICES AND PERSONNEL TO ENSURE THAT THE PLAN INCLUDES THAT APPROPRIATE RESOURCES FOR FOLLOW-UP, MONITORING AND SUPPORT IS PROVIDED AT THE TRANSFERRED EMPLOYEES' RECEIVING INSTITUTIONS;**
- 4. DIRECTED THE CHIEF EXECUTIVE OFFICER, WITH THE COOPERATION OF THE DIRECTOR OF HEALTH SERVICES (DHS), TO ASSEMBLE A SEPARATE NEGOTIATING TEAM TO OVERSEE AND NEGOTIATE A CONTRACT FOR A REPLACEMENT OPERATOR FOR MLK-HARBOR. BY TOMORROW THE CEO IN COLLABORATION WITH DHS MUST IDENTIFY ALL THE IDEAL CONTRACTUAL ELEMENTS FOR AN OPERATOR FOR MLK-HARBOR. A SET OF CONTRACT ELEMENTS OF AN "IDEAL" CONTRACTING PARTNERSHIP SHOULD BE PRESENTED TO THE BOARD IN CLOSED SESSION TOMORROW. A TEAM DESIGNATED BY THE CEO IN CONJUNCTION WITH DHS SHOULD BE ESTABLISHED TO IMPLEMENT A TIMEFRAME TO ENSURE THE HOSPITAL'S REOPENING WITHIN 12 MONTHS INCLUDING COMPLETING THE ELEMENTS OF: RECRUITMENT; NEGOTIATIONS AND CONCLUSION OF CONTRACT; CONTRACTOR TO RECRUIT STAFF AND PREPARE FACILITY; AND CONTRACTOR TO TRAIN AND PREPARE PERSONNEL;**
- 5. INSTRUCTED THE DIRECTOR OF HEALTH SERVICES TO RELEASE THE CMS STATEMENT OF SUFFICIENCY ON MLK-HARBOR TO THE PUBLIC. ADDITIONALLY, A STATEMENT OF MITIGATION**

**SHOULD BE PREPARED IN ORDER TO SCHEDULE APPROPRIATE
BEILENSON HEARINGS;**

- 6. APPROVED THE DIRECTOR OF HEALTH SERVICES'
RECOMMENDATIONS OUTLINING A PLAN TO MAINTAIN HEALTH
SERVICES AT MARTIN LUTHER KING, JR.-HARBOR HOSPITAL, AS
AMENDED TO DELEGATE AUTHORITY TO THE CHIEF EXECUTIVE
OFFICER IN COLLABORATION WITH THE DIRECTOR OF HEALTH
SERVICES; AND ALSO APPROVED AGREEMENT NOS. 76342, 76343,
76344, 76345, 76346, 75936 SUPPLEMENT 1, 75937 SUPPLEMENT 1,
76365, 76393 AND 76614;**
- 7. INSTRUCTED THE DIRECTOR OF HEALTH SERVICES' TO BE PREPARED
TO DISCUSS, IN CLOSED SESSION AT THE BOARD MEETING OF
AUGUST 14, 2007, THE ECONOMICS OF THE CONTRACTS LISTED IN
HIS REPORT; AND**
- 8. INSTRUCTED THE DIRECTOR OF HEALTH SERVICES TO BE PREPARED
TO DISCUSS THE AGREEMENT WITH CALIFORNIA EMERGENCY
PHYSICIANS MEDICAL GROUP, AS LISTED IN (C) OF HIS REPORT,
AND WHY THE CONTRACT IS STILL NECESSARY.**

[Report](#)

[CMS Report](#)

[Supervisor Molina Motion](#)

[See Final Action](#)

[MLK Closure Impact Reports](#)

[Impacted Hospital Program Agreements](#)

Absent: None

Vote: Unanimously carried

Administrative Memo

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At the August 13, 2007 Special Board Meeting, during discussion of Agenda Item No. 1, the Chief Executive Officer and the Director of Health Services were requested to: (07-2283)

Report back to the Board with details on the MLK-Harbor personnel responsible for the actions cited in the Center for Medicare and Medicaid Service's report;

Provide a weekly detailed status report on what is being done with every employee at MLK-Harbor including: reclassification, reassignment, terminations and employees deemed incompetent;

Provide weekly status reports on the progress to reopen MLK- Harbor Hospital;

Direct the Administrator of the Emergency Management System to provide weekly reports to you on the ambulance traffic distribution since the closure of MLK-Harbor's emergency room and report back to the Board;

Provide monthly report on the progress of Harbor-UCLA Hospital's increased direct involvement in the oversight with the MLK-Harbor transition team;

Develop a plan of action to ensure the shortest timeframe to reopen MLK-Harbor Hospital.

[Administrative Memo](#)

2. Opportunity for members of the public to address the Board on the subject of Agenda Item No. 1.

MEMBERS OF THE PUBLIC ADDRESSED THE BOARD ON THE SUBJECT OF AGENDA ITEM NO. 1, REPORT BY THE DIRECTOR OF DEPARTMENT OF HEALTH SERVICES ON CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS) FINDINGS RELATIVE TO MARTIN LUTHER KING - HARBOR HOSPITAL, AND CONSIDERATION OF ACTIONS RECOMMENDED BY THE DIRECTOR INCLUDING ACTIONS RELATED TO CLOSURE OF THE FACILITY. (07-2155)

3. Recommendation as submitted by Supervisor Molina: Make a finding pursuant to Government Code Section 54954.2(b)(2), that there is a need to take immediate action and that the need for action came to the attention of the Board subsequent to the agenda being posted as specified in subdivision (a); and ordered placed into Closed Session at the August 14, 2007 Board meeting a conference with the labor negotiators, pursuant to Government Code Section 54957.6; also make a finding pursuant to Government Code Section 54954.2(b)(2), that there is a need to take immediate action and that the need for action came to the attention of the Board subsequent to the agenda being posted as specified in subdivision (a); and ordered places into Closed Session at the August 14, 2007 Board meeting a conference with the real property negotiators, pursuant to Government Code Section 54956.8. (07-2284)

APPROVED

[See Final Action](#)

Absent: None

Vote: Unanimously carried

4. The Board of Supervisors of the County of Los Angeles, and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts, adjourned the Special Meeting at 3:36 p.m. Present were Supervisors Gloria Molina, Yvonne B. Burke, Don Knabe, Michael D. Antonovich, and Zev Yaroslavsky, Chairman presiding. (07-2275)

The foregoing is a fair statement of the proceedings of the meeting held August 13, 2007, by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

Sachi A. Hamai, Executive Officer
Executive Officer-Clerk
of the Board of Supervisors